REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated December 29, 2008. This amendment and request for reconsideration is intended to be fully responsive thereto.

The drawings were objected to for several incorrect reference numerals. Applicant has submitted two "Replacement Sheets" showing corrections to Figures 7, 8 and 9.

The specification and claims were objected to for several informalities which are corrected by the foregoing amendments to the specification.

Claims 1, 4-16 and 22-26 were rejected under 35 U.S.C. §112, second paragraph, for including the phrase "in particular" in claim 1. This phrase has been cancelled from claim 1 thus rendering this rejection moot.

Claims 1, 4-8 and 22, 23, 25 and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Temma et al. (US Pat Pub. 2002/0183149). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Temma et al. '149 in view of Floehr (USP 3,157,132). Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Temma et al. '149 in view of Floehr '132 and Bakker (USP 5,967,919). These rejections are respectfully traversed in view of the following remarks.

The presently claimed drive assembly is an automated assembly comprising an electric motor controlling the position of the idle driving wheel, whereby the drive assembly can be controlled by an engine control unit of a motor vehicle. Specifically, the invention comprises an actuating means (81) which can be activated to exert a force in opposition to

that force exerted by the elastic means (e.g. torsion spring 30), to detach the drive wheel (16) from at least one of the rotary member (e.g., pulley 10) and the drive member (e.g., drive belt 5). As claimed, the actuating means comprise a reversible electric motor (81) such that, when the elastic means (torsion spring 30) exerts a force, to push the drive wheel (16) against the rotary member (pulley 10) and the drive member (5), which is greater than the travel resistance of the actuating means (e.g. electric motor 81) when maintained in a disabled rest condition, the force overcomes the resistance of the electrical rotary motor.

Temma et al. '149 refers to a tensioner 50 for tensioning the belt of a stepless speed change unit (see Figures 3 and 5 of Temma et al. '149). The tensioner 50 includes a pulley 51 that is permanently maintained by a spring 54 in contact with the belt 15. The motor 55 of Temma et al. '149 has only the function of increasing or decreasing the belt tension as a function of torque or transmission ratio (see paragraphs 0064 and 0067 of Temma et al. '149). Therefore, Temma et al. '149 does not anticipate the claimed feature that the actuating means can be activated "... to detach said drive wheel from at least one of said rotary member and said drive member". In particular, paragraph 0064 of Temma et al. '149 clearly states that "the aforementioned spring 54 supplies initial tension. The assist motor 55 is normally or reversely driven for adding or subtracting tension caused by the assist motor 55 to or from the initial tension so that the optimum belt tension can be obtained."

In light of the foregoing, Applicant respectfully submits that the examiner has incorrect when asserting that "the drive wheel [of Temma] is capable of being detached from rotary member or drive member." A person skilled in the art would conclude the contrary.

Furthermore, the pulley 51 is never in contact with the rotary member as required by the pending claims, and in particular with driven pulley 21 as stated by the examiner. Please see the beginning of paragraph 0071 of Temma where driven pulley 21 is wrongly indicated by reference numeral 12.

Lastly, Temma fails to describe the motor 55 as "reversible" as specified in the claims; i.e., that the force of spring 54 overcomes the resistance of the electric motor when not actuated.

For the foregoing reason, it is respectfully submitted that the pending claims are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

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